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**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:19-cv-03777-NGG-VMS**

Immerso v. United States Department of Labor
Assigned to: Judge Nicholas G. Garaufis
Referred to: Magistrate Judge Vera M. Scanlon
Cause: 05:552 Freedom of Information Act

Date Filed: 06/28/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Sandra Immerso

represented by **Jack Jordan**
Jack Jordan
6225 Northlake Drive
Parkville, ID 83714
816-746-1955
Email: emobilawyer@yahoo.com
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Labor

represented by **Kathleen Anne Mahoney**
United States Attorneys Office
Eastern District of New York
271 Cadman Plaza East
Brooklyn, NY 11201-1820
(718)254-6026
Fax: (718)254-6081
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/28/2019	<u>1</u>	COMPLAINT against United States Department of Labor filing fee \$ 400, receipt number ANYEDC-11619414 Was the Disclosure Statement on Civil Cover Sheet completed -NO,, filed by Sandra Immerso. (Attachments: # <u>1</u> Exhibit 1 Huber's email, # <u>2</u> Exhibit 2 DI's Letter 10/28/2015, # <u>3</u> Exhibit 3 DI's BRB filing 1/16/2018, # <u>4</u> Exhibit 4 Huber's Declaration 8/15/2017, # <u>5</u> Civil Cover Sheet) (Jordan, Jack) (Entered: 06/28/2019)
06/28/2019	<u>2</u>	Proposed Summons.Civil Cover Sheet.. Re <u>1</u> Complaint, by Sandra Immerso (Attachments: # <u>1</u> Proposed Summons, # <u>2</u> Proposed Summons, # <u>3</u> Proposed Summons) (Jordan, Jack) (Entered: 06/28/2019)
06/28/2019		Case assigned to Judge Nicholas G. Garaufis and Magistrate Judge Vera M. Scanlon. Please download and review the Individual Practices of the assigned Judges, located on our website . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Bowens, Priscilla) (Entered: 07/01/2019)

06/28/2019	3	Summons Issued as to United States Department of Labor, U.S. Attorney and U.S. Attorney General (Bowens, Priscilla) (Entered: 07/01/2019)
07/01/2019	4	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that if all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Bowens, Priscilla) (Entered: 07/01/2019)
07/01/2019	5	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Bowens, Priscilla) (Entered: 07/01/2019)
08/07/2019	6	Letter to Honorable Nicholas G. Garaufis requesting a pre-motion conference by United States Department of Labor (Mahoney, Kathleen) (Entered: 08/07/2019)
08/07/2019	7	MEMORANDUM in Opposition re 6 Letter by DOL Requesting Conference and Extension filed by Sandra Immerso. (Attachments: # 1 Exhibit 131 citations prohibiting inferences) (Jordan, Jack) (Entered: 08/07/2019)
08/07/2019	8	SUMMONS Returned Executed by Sandra Immerso. United States Department of Labor served on 7/1/2019, answer due 7/22/2019. (Attachments: # 1 Exhibit Summons returned executed in FOIA case as to U.S. Attorney, # 2 Affidavit of Service U.S. Attorney General, # 3 Exhibit Summons returned executed as to U.S. Attorney General, # 4 Affidavit of Service Solicitor of Labor, # 5 Exhibit Summons returned executed as to Federal Defendant) (Jordan, Jack) (Entered: 08/07/2019)
08/08/2019		ORDER re: Defendant's 6 Application for a Pre-Motion Conference: The Application is GRANTED. The parties are instructed to confer and contact the court's Deputy at 718-613-2545 to schedule the pre-motion conference. Defendant's deadline to answer the Complaint is extended until fourteen days following the entry of the order deciding Defendant's anticipated motion. Ordered by Judge Nicholas G. Garaufis on 8/8/2019. (Davis, Eleanor) (Entered: 08/08/2019)
08/08/2019	9	NOTICE of Appearance by Kathleen Anne Mahoney on behalf of United States Department of Labor (aty to be noticed) (Mahoney, Kathleen) (Entered: 08/08/2019)
08/08/2019	10	MOTION for Reconsideration of Minute Order 8/8/2019 by Sandra Immerso. (Attachments: # 1 Memorandum in Support) (Jordan, Jack) (Entered: 08/08/2019)
08/16/2019		ORDER re: Plaintiff's 10 Motion for Reconsideration: The Motion is DENIED. The pre-motion conference shall be held at 10:00 am on Thursday, August 29, 2019 in Room 4D South. Ordered by Judge Nicholas G. Garaufis on 8/16/2019. (Olds, Edward) (Entered: 08/16/2019)
08/16/2019	11	Letter MOTION to Adjourn Conference due to counsel's unavailability by United States Department of Labor. (Mahoney, Kathleen) (Entered: 08/16/2019)
08/19/2019	12	MOTION for Reconsideration re Scheduling Order, (requiring a conference for the reasons the DOL presented) by Sandra Immerso. (Attachments: # 1 Memorandum in Support) (Jordan, Jack) (Entered: 08/19/2019)
08/20/2019		ORDER re: Defendant's 11 Application to Adjourn Pre-Motion Conference and Plaintiff's 12 Motion for Reconsideration: Defendant's 11 Application is GRANTED. The parties are instructed to confer and contact the court's Deputy at 718-613-2545 to schedule the pre-motion conference. Plaintiff's 12 motion seeking reconsideration of the court's denial of Plaintiff's 10 first motion for reconsideration is DENIED. Ordered by Judge Nicholas G. Garaufis on 8/19/2019. (Olds, Edward) (Entered: 08/20/2019)
10/04/2019		Minute Entry for proceedings held before Judge Nicholas G. Garaufis: Pre-Motion Conference held on 10/3/2019. Counsel for both parties present. The court granted Defendant leave to move to dismiss or, in the alternative, for summary judgment and set the following briefing schedule: Defendant shall serve its motion by no later than November 1, 2019; Plaintiff shall serve her response by no later than November 22, 2019; and Defendant shall serve its reply, if any, and file the fully briefed motion by no later than December 4, 2019. (Court Reporter Anthony Mancuso) (Olds, Edward) (Entered: 10/04/2019)

11/04/2019	13	Letter to <i>Plaintiff's counsel</i> accompanying Defendant's motion to dismiss or, in the alternative, for summary judgment sent by email on November 1, 2019 by United States Department of Labor (Mahoney, Kathleen) (Entered: 11/04/2019)
11/04/2019	14	Letter to <i>Plaintiff's counsel</i> enclosing copy of Defendant's motion to dismiss or, in the alternative, for summary judgment sent via FedEx on NoMonday, November 4, 2019 by United States Department of Labor (Mahoney, Kathleen) (Entered: 11/04/2019)